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EXAMINER	
BROWN, VERNAL U	

ART UNIT	PAPER NUMBER
2635	5

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/803,250	FEINBERG, PAUL H.	
	Examiner	Art Unit	
	Vernal U Brown	2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-22,24-27,29-39,41,42,45 and 48-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-22,26,27,29-39,41,42,45 and 48-51* is/are rejected.

7)☒ Claim(s) *24 and 25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on February 20, 2004.

Response to Amendment

The examiner has acknowledged the amendment of claims 1-2, 4-10, 13, 15, 19, 21-22, 24-27, 29-37, 39, 45, the addition of claim 48-50 and the cancellation of claims 6, 23, 28, 40,43-44, and 46-47.

Claim Objections

Claims 24-25 are objected to because of the following informalities: Claims 24-25 are dependent on a cancelled claim and are not been further treated on the merits.

Drawings

The drawing of figure 5 received on 2/20/2004 is accepted.

Response to Arguments

Regarding applicant's argument regarding a toy having an interaction circuit operable to associate a user defined output based on receiving an answer wave and further selecting a second output based on receiving a particular answer wave, Snyder et al. teaches an interaction circuit (215) operable to associate an output based on receiving an answer wave (col. 4 lines 2-15). Snyder et al. further teaches a second response in response to the received answer wave (col. 4 lines 35-44). The reference of Gabai et al. is relied upon for teaching user defined responses from a toy (col. 33 lines 25-27).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-12, 26-27, 29, 30-33, and 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al. U.S Patent 6361396 in view of Gabai et al. U.S Patent 6290566.

Regarding claims 1 and 9, Snyder et al. teaches an apparatus, comprising a mobile item (107) operable to be carried by a user, each item include tag circuit (109) operable to produce an answer electromagnetic in response to a query electromagnetic wave (col. 4 lines 2-15), a plurality of tags is further shown in figure 2;

a toy including a query circuit (105) and an interaction circuit (215), the query circuit being operable to emit the query electromagnetic wave and receive the answer electromagnetic wave (col. 4 lines 25-28) and the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave (col. 4 lines 63-66). Snyder et al. teaches the toy continues to perform certain actions based on the object continued proximity to the toy (col. 8 lines 30-37). The second output perceptible by the user is therefore included in the continued output from the toy. Snyder et al. is however silent on teaching associating a user defined output with the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al.

because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claims 2-3 and 27, Snyder et al. teaches the interaction circuit produces an output perceptible to a user (col. 4 lines 28-31) and teaches a transducer (709) coupled to the output circuit (figure 7) but is silent on teaching the outputs are user defined. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claims 4-5, Snyder et al. teaches the interaction circuit is operable to select at least one phrase from among a plurality of phrases based on the answer electromagnetic wave and the output transducer includes the audio transducer, which is operable to produce an audible phrase corresponding to the selected phrase (col. 4 lines 25-31) but is silent on teaching the phrases are user defined. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output

perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claims 7-8, Snyder et al. teaches the interaction circuit giving a response in the form of a phrase (col. 4 lines 28-30) and further teaches giving a response phrase based on the identified object (col. 4 lines 24-30) but is silent on teaching associating a user defined phrase with one or more of the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches selecting a user defined phrase base on the receive answer signal (col. 3 lines 13-17).

It would have been obvious to one of ordinary skill in the art to associate a user defined phrase with one or more of the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests the interaction circuit giving a response in the form of a phrase and Gabai et al. teaches selecting a user defined phrase base on the receive answer signal.

Regarding claims 10-11, Snyder et al. teaches one or more tags (202, 203, 204) are disposed at respective physical location (figure 2) and the interaction circuit is operable to output a response based on the identified object (col. 4 lines 25-30). Snyder et al. also teaches the tag is RF (col. 4 lines 25-26) but is silent on teaching the outputs are user defined. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output

perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claim 12, Snyder et al. teaches the object to be identified having a tag circuit (109) produce an answer electromagnetic having a frequency content that is different from others of the answer electromagnetic waves and the interaction circuit is operable to distinguish which one or more of the answer electromagnetic waves are received based on the frequency content (col. 4 lines 12-16). Snyder et al. also teaches a code that is different from others of the answer electromagnetic wave and the interaction circuit is operable to distinguish which of the answer electromagnetic wave is received (col. 4 lines 57-60).

Regarding claim 26, Snyder et al. teaches a method, comprising:
providing at least one mobile item operable to be carried by a user (col. 4 lines 22-25) and emit an answer electromagnetic wave in response to receiving a query electromagnetic wave (col. 7 lines 34-38);

providing a toy operable to emit the query electromagnetic wave and receive the answer electromagnetic wave(col. 7 lines 23-28); and selecting an output to issue from the toy that is perceptible by the user based on the answer electromagnetic wave (col. 4 lines 22-30). Snyder et al. further teaches simultaneously selecting a second output based on receiving a particular answer electromagnetic wave (col. 4 lines 38-46). Snyder et al. is however silent on teaching associating a user defined output with the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claim 29, Snyder et al. teaches providing at least two mobile items each operable to produce a respective answer electromagnetic wave in response to a query electromagnetic wave; and selecting the at least one phrase based on which one or more of the answer electromagnetic waves are received (col. 4 lines 25-31). Snyder et al. further teaches simultaneously selecting a second output based on receiving a particular answer electromagnetic wave (col. 4 lines 38-46). Snyder et al. is however silent on teaching associating a user defined output with the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claim 30-31, Snyder et al. in view of Lastinger teaches the interaction circuit giving a response in the form of a phrase (col. 4 lines 28-30) and further teaches giving a

response phrase based on the identified object (col. 4 lines 24-30) but is silent on teaching associating a user defined phrase with one or more of the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches selecting a user defined phrase base on the receive answer signal (col. 3 lines 13-17).

It would have been obvious to one of ordinary skill in the art to associate a user defined phrase with one or more of the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests the interaction circuit giving a response in the form of a phrase and Gabai et al. teaches selecting a user defined phrase base on the receive answer signal.

Regarding claim 32, Snyder et al. teaches that the resonant frequency of the answer signal is based on the object selected by the user and the object is identify by the answer signal (col. 4 lines 12-16). The answer signal therefore serves the purpose of identifying the object and is further control by the object selected.

Regarding claim 33, Snyder et al. teaches providing a plurality of radio frequency tags (figure 2) operable to produce respective answer electromagnetic wave in response to a query electromagnetic wave (col. 4 lines 2-15). Snyder et al. is however silent on teaching associating a user defined output with the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output

perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claims 48-51, Snyder et al. teaches the interaction circuit is operable to output a second response based on the received electromagnetic wave and the response further phrases (col. 4 lines 35-41) but is silent on teaching associating a user defined phrase with one or more of the answer electromagnetic wave. Gabai et al. in an art related interactive toy teaches selecting a user defined phrase base on the receive answer signal (col. 3 lines 13-17).

It would have been obvious to one of ordinary skill in the art to associate a user defined phrase with one or more of the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests the interaction circuit giving a response in the form of a phrase and Gabai et al. teaches selecting a user defined phrase base on the receive answer signal.

Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al. U.S Patent 6361396 in view of Gabai et al. U.S Patent 6290566 and further in view of Karr U.S Patent 5661470.

Regarding claim 13, Snyder et al. in view of Gabai et al. teaches receiving electromagnetic wave transmitted (col. 9 lines 54-58) but is silent on teaching the interaction circuit is operable to store indication of the received answer electromagnetic wave. Karr in an art related Object Recognition System invention teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave (col. 4 lines 20-25).

It would have been obvious to one of ordinary skill in the art for the interaction circuit is operable to store indication of the received answer electromagnetic wave in Snyder et al. in view of Lastinger as evidenced by Karr because Snyder et al. in view of Lastinger suggests receiving electromagnetic wave transmitted and Karr teaches storing the indication of the received electromagnetic wave to facilitate the processing of the received signal.

Regarding claim 14, Synder et al. in view of Gabai et al. teaches receiving the answer electromagnetic wave and using a table to identify the object (col. 4 lines 12-16) but is silent on teaching the interaction circuit is operable to store indication which are at least an index numbers. Karr in an art related Object Recognition System invention teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave in a shift register (col. 4 lines 20-25). One skilled in the art recognizes the accessing of data in a shift register required the use of index numbers to identify the content of the shift registers.

It would have been obvious to one of ordinary skill in the art for the interaction circuit is operable to store indication that is at least an index numbers in Synder et al. in view of Gabai et al. as evidenced by Karr because Synder et al. in view of Gabai et al. suggests receiving the answer electromagnetic wave and using a table to identify the object and Karr teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave in a shift register and one skilled in the art recognizes the accessing of data in a shift register required the use of index numbers to identify the content of the shift registers.

Regarding claim 15, Synder et al. teaches interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave (col. 4 lines 63-66) but

is silent on teaching the response is user defined. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claim 16, Snyder et al. in view of Gabai et al. teaches detecting an object in proximity to the toy (col. 4 lines 25-27) but is silent on teaching the plurality of output includes characteristics that correspond to respective characteristics of the physical locations. Karr in an art related Object Recognition System invention teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations (col. 2 lines 27-34).

It would have been obvious to one of ordinary skill in the art for the plurality of output includes characteristics that correspond to respective characteristics of the physical locations in Snyder et al. in view of Gabai et al. as evidenced by Karr because Snyder et al. in view of Gabai et al. suggests claim 16, Snyder et al. in view of Lastinger teaches and Karr teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations.

Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al. U.S Patent 6361396 in view of Gabai et al. U.S Patent 6290566 in view of Karr U.S Patent 5661470 and further in view of Pelekis U.S Patent 6380844.

Regarding claims 17-18, Snyder et al. in view of Gabai et al. in view of Karr teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations as discussed in the response to claim 16 but is silent on teaching plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room. Pelekis in an art related invention in the same field of endeavor of interactive toys teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room (col. 3 18-21).

It would have been obvious to one of ordinary skill in the art for the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room in Snyder et al. in view of Gabai et al. in view of Karr as evidenced by Pelekis because Snyder et al. in view of Gabai et al. in view of Karr teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations and Pelekis teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room.

Regarding claims 19-20, Snyder et al. teaches the interaction circuit produces an output perceptible to a user (col. 4 lines 28-31) including a second out put (col. 4 lines 38-46) and teaches a transducer (709) coupled to the output circuit (figure 7) but is silent on teaching the response is user defined. Gabai et al. in an art related interactive toy teaches interactive toy with user defined responses (col. 3 lines 13-17, col. 33 lines 25-27).

It would have been obvious to one of ordinary skill in the art to associate a user defined output with the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al.

because Snyder et al. suggests a toy the interaction circuit being operable to select an output perceptible by the user based on the answer electromagnetic wave and Gabai et al. teaches a toy outputting user defined output in order to provide meaningful responses.

Regarding claim 21, Snyder et al. teaches the interaction circuit is operable to select at least one phrase from among a plurality of phrases based on the answer electromagnetic wave and the output transducer includes the audio transducer, which is operable to produce an audible phrase corresponding to the selected phrase (col. 4 lines 25-31) and also teaches the output includes a second phrase (col. 4 lines 38-46)but is silent on teaching the output phrase is user defined. Gabai et al. in an art related interactive toy teaches selecting a user defined phrase base on the receive answer signal (col. 3 lines 13-17).

It would have been obvious to one of ordinary skill in the art to associate a user defined phrase with one or more of the answer electromagnetic wave in Snyder et al. as evidenced by Gabai et al. because Snyder et al. suggests the interaction circuit giving a response in the form of a phrase and Gabai et al. teaches selecting a user defined phrase base on the receive answer signal.

Regarding claim 22, Snyder et al. in view of Gabai et al. teaches detecting an object in proximity to the toy (col. 4 lines 25-27) but is silent on teaching the plurality of output includes characteristics that correspond to respective characteristics of the physical locations. Karr in an art related Object Recognition System invention teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations (col. 2 lines 27-34).

It would have been obvious to one of ordinary skill in the art for the plurality of output includes characteristics that correspond to respective characteristics of the physical locations in Snyder et al. in view of Gabai et al. as evidenced by Karr because Snyder et al. in view of Gabai et al. suggests claim 16, Snyder et al. in view of Lastinger teaches and Karr teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations.

Claims 34-36, 41-42, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al. U.S Patent 6361396 in view of Gabai et al. U.S Patent 6290566 in view of Pelekis U.S Patent 6380844.

Regarding claims 34-35 and 41-42, Snyder et al. in view of Gabai et al. teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations as discussed in the response to claim 16 but is silent on teaching plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room. Pelekis in an art related invention in the same field of endeavor of interactive toys teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room (col. 3 18-21).

It would have been obvious to one of ordinary skill in the art for the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room in Snyder et al. in view of Gabai et al. as evidenced by Pelekis because Snyder et al. in view of Gabai et al. teaches the plurality of output includes

characteristics that correspond to respective characteristics of the physical locations and Pelekis teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room.

Regarding claim 36, Snyder et al. teaches the object to be identified having a tag circuit (109) produce an answer electromagnetic having a frequency content that is different from others of the answer electromagnetic waves and the interaction circuit is operable to distinguish which one or more of the answer electromagnetic waves are received based on the frequency content (col. 4 lines 12-16). Snyder et al. also teaches a code that is different from others of the answer electromagnetic wave and the interaction circuit is operable to distinguish which of the answer electromagnetic wave is received (col. 4 lines 57-60).

Regarding claim 45, Snyder et al. in view of Gabai et al. teaches a second output in response to the reply signal (col. 4 lines 38-44)but is silent on teaching the response corresponds to the physical location in which the tag is disposed. Pelekis in an art related invention in the same field of endeavor of interactive toys teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room (col. 3 18-21).

It would have been obvious to one of ordinary skill in the art for the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room in Snyder et al. in view of Gabai et al. as evidenced by Pelekis because Snyder et al. in view of Gabai et al. teaches the plurality of output includes characteristics that correspond to respective characteristics of the physical locations and Pelekis

teaches the plurality of outputs include characteristics that correspond to respective characteristics of the physical locations including the type of room.

Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder et al. U.S Patent 6361396 in view of Gabai et al. U.S Patent 6290566 in view of Pelekis U.S Patent 6380844 and further in view of Karr U.S Patent 5661470.

Regarding claim 37, Snyder et al. in view of Gabai et al. teaches receiving electromagnetic wave transmitted (col. 9 lines 54-58) but is silent on teaching the interaction circuit is operable to store indication of the received answer electromagnetic wave. Karr in an art related Object Recognition System invention teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave (col. 4 lines 20-25).

It would have been obvious to one of ordinary skill in the art for the interaction circuit is operable to store indication of the received answer electromagnetic wave in Snyder et al. in view of Lastinger as evidenced by Karr because Snyder et al. in view of Lastinger suggests receiving electromagnetic wave transmitted and Karr teaches storing the indication of the received electromagnetic wave to facilitate the processing of the received signal.

Regarding claims 38-39, Synder et al. in view of Gabai et al. teaches receiving the answer electromagnetic wave and using a table to identify the object (col. 4 lines 12-16) but is silent on teaching the interaction circuit is operable to store indication which are at least an index numbers. Karr in an art related Object Recognition System invention teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave in a shift

register (col. 4 lines 20-25). One skilled in the art recognizes the accessing of data in a shift register required the use of index numbers to identify the content of the shift registers.

It would have been obvious to one of ordinary skill in the art for the interaction circuit is operable to store indication that is at least an index numbers in Synder et al. in view of Gabai et al. as evidenced by Karr because Synder et al. in view of Gabai et al. suggests receiving the answer electromagnetic wave and using a table to identify the object and Karr teaches the interaction circuit is operable to store indication of the received answer electromagnetic wave in a shift register and one skilled in the art recognizes the accessing of data in a shift register required the use of index numbers to identify the content of the shift registers.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U Brown whose telephone number is 703-305-3864. The examiner can normally be reached on M-Th, 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vernal Brown
April 22, 2004

BRIAN ZIMMERMAN
PRIMARY EXAMINER